

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEITH WILLIAMS,
Petitioner,

v.

KEN CLARK, Warden,
Respondent.

No. C 09-03235 SBA (PR)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed the Court sent a notification to Petitioner informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk of the Court sent Petitioner a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed.

On August 12, 2009, Petitioner requested an extension of time to file his in forma pauperis application or pay the filing fee. On August 20, 2009, the Court sent a second notification to Petitioner granting him a thirty-day extension of time. The Clerk directed Petitioner to either pay the fee or submit his in forma pauperis application within thirty days or his action would be dismissed.

More than thirty days have passed and Petitioner has not paid the filing fee, submitted an in forma pauperis application or otherwise communicated with the Court. Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Court has rendered its final decision on this matter; therefore, this Order TERMINATES Plaintiff's case.

IT IS SO ORDERED.

DATED: 10/7/09


SAUNDRA BROWN ARMSTRONG
United States District Judge

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3 UNITED STATES DISTRICT COURT
4 FOR THE
5 NORTHERN DISTRICT OF CALIFORNIA
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8 KEITH WILLIAMS,
9 Plaintiff,

Case Number: CV09-03235 SBA

CERTIFICATE OF SERVICE

10 v.

11 KEN CLARK et al,
12 Defendant.
13 _____/

14 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

15 That on October 8, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
16 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
17 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

18
19 Keith Williams T-55066
20 Corcoran State Prison
21 P.O. Box 5248
Corcoran, CA 93212

22 Dated: October 8, 2009

23 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk

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